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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,057	09/19/2001	Manfred Laube	Q65877	8479

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2643

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,057

Applicant(s)

LAUBE ET AL

Examiner

Melur Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-6, 8, 9-10, are rejected under 35 U.S.C 102(b) as being anticipated by Sakami et al. (JP10-142311, hereinafter Sakami).

Regarding claim 1, Sakami discloses method for operating a preferably mobile telecommunication system, in which at least one terminal (4, Drawing 1) is coupled via an connecting device in (4, Drawing 1) to a public network, wherein that the location of the connecting device is entered or determined automatically (Drawings: 1-4, paragraphs: 0014-0024).

Regarding claim 5, Sakami discloses telecommunication system having a public network to which at least one terminal (4, Drawing 1) is coupled via an connecting device in (4, Drawing 1), wherein in that the location of the connecting device is stored in the connecting device in (4, this is implicit in as much the GPS receiving set 3 specifies the positional information and transmits positional information to the terminal 4, paragraph: 0017).

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Regarding claim 9, Sakami discloses connecting device in (4, Drawing 1), using which a terminal (4, Drawing 1) can be coupled to a public network, wherein that the location of the connecting device is stored in the connecting device (4, this is implicit in as much the GPS receiving set 3 specifies the positional information and transmits positional information to the terminal 4, paragraph: 0017).

Regarding claim 10, Sakami discloses personal computer (4, Drawing 1), in which an connecting device in (4, Drawing 1) for a telecommunication system is integrated, using which the personal computer or the telephone, respectively, can be coupled to a public network, wherein the location of the personal computer is stored in the personal computer or in the connecting device (4, this is implicit in as much the GPS receiving set 3 specifies the positional information and transmits positional information to the terminal 4, paragraph: 0017).

Regarding claims 2, 6, 8, Sakami further teaches the following: location of the connecting device is determined with the aid of satellites, in particular GPS satellites (Drawing 1, paragraph: 0013), connecting device in (4, Drawing 1) is provided with means for automatically determining the location of the connecting device (paragraph: 0015-0017), terminal and connecting device are designed as an integrated device for example as personal computer or as a telephone (paragraphs: 0014-0015).

3. Claim 11 is rejected under 35 U.S.C 102(e) as being anticipated by Rosen et al. (US PAT: 6,014,090, filed 12-22-1997, hereinafter Rosen)

Regarding claim 11, Rosen discloses telephone (130, fig. 1), in which an connecting device for a telecommunication system is integrated (col. 3 lines 40-47),

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using which the telephone can be coupled to a public network (100, fig. 1), wherein location of the telephone is stored in the telephone or the connecting device (storing /or buffering is implicit in much as the location information of the mobile device is transmitted to the server (120, fig. 1, col. 3 lines 3-12, lines 21-32, and also see fig. 3).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakami in view of Gustafsson (US PAT: 6,351,647, pub date: 5-7-1998).

Regarding claim 3, Sakami does not teach the following: location of the connecting device is determined with the aid of the information that is broadcast by wireless public network, in particular by GSM and UMTS.

However, Gustafsson discloses location dependent services in a mobile communication system which teaches the following: location of the connecting device is determined with the aid of the information that is broadcast by wireless public network, in particular by GSM (col. 4 lines 1-35, lines 66-67, col. 5 lines 1-2).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Sakami's system to provide for the following: location of the connecting device is determined with the aid of the information that is broadcast by wireless public network, in particular by GSM and UMTS as this arrangement would

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provide another means to obtain location information as taught by Gustafsson, thereby user does not have to have location determining device with his terminal, thereby making the user device economical.

6. Claims 4 and 7, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakami in view of Harrison et al. (US PAT: 5,796,727, hereinafter Harrison).

Sakami differs from claims 4 and 7 in that he does not teach the following: a fixed LAN connected to the public network and wireless LAN.

However, Harrison discloses wide-area wireless LAN access, which teaches the following: a fixed LAN (establishment LAN in fig. 2) connected to the public network and wireless LAN.(see the mobile units 39, 40, etc connected un a wires LAN (col. 5 lines (col. Lines 8-19).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Sakami's system to provide for the following: : a fixed LAN connected to the public network and wireless LAN as this arrangement would provide to obtain client server computing, and also facilitates establishing wireless LAN to exchange data among the devices as taught by Harrison (col. 3 lines 23-31).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
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